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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,209	04/23/2001	Jin Lu	US 010191	3948
24737	7590	06/18/2004	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			BOCCIO, VINCENT F	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			2615	
DATE MAILED: 06/18/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/840,209	LU, JIN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Vincent F. Boccio	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

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**DETAILED ACTION****Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motorola "Integrated Data-casting Solutions for Digital TV (6/1999) in view of Ballard (US 6,182,050).

Regarding claim 1, Motorola PUB. discloses and meets the limitations associated with a data apparatus comprising:

- a storage medium for storing selected portions of transmitted data cast streams (page 11, "Caching", is storage, also page 7, "multicasting to demographic groups", "Data casts are stored in the memory of the user's PC. ... user ... access to the cached data cast programs");
- wherein content filtering and processor which is based on a user profile (page 5, "USER Profile") and caching of content is accomplished by the user's apparatus, but, the filtering processor is not provided on a user's computer/system,

wherein users can be grouped, sub-grouped even uni-cast, based on (page 7, "multicasting to demographic groups and user profiles", therefore, groups and even sub-groups), and uni-casting by targeting a specific PC users, based on user profiles and demographic, wherein all three types of network session are possible in the same service,

but, the filtering is accomplished according to page 11-12, "user's view history back to the TV station over the internet", therefore, filtering is not provided by the user's apparatus, but accomplished remote from the user,

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wherein system targets either groups, sub-groups even specific users, based on demographic and user profiles.

Ballard teaches (abstract, etc.), the concept that a advertising service provider sends executable filter programs which run on the end user computer, wherein the filter need not be downloaded, {using a generic filter, col. 2}, wherein the end user computer determines, which test or filter whether a corresponding advertisement is to be downloaded (cached) and displayed (later rendered), also col. 2, lines 23-33, wherein by the user's computer performing "screening or filtering", provides for a higher degree of privacy for the end user, col. 12, lines 30-40,

wherein according to Ballard an advertiser is able to reach consumers who fit desired demographic or affinity parameters while a consumer's privacy is retained, as taught by Ballard (col. 4).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Motorola {Prior art}, by providing filtering to be accomplished by a user's PC , as taught by Ballard, thereby preserving privacy of end users by filtering at the user's PC, thereby allowing the end user's computer in combination with an established profile to perform the filtering, as taught by Ballard.

Regarding claims 2-8, the combination with Motorola further meets the limitations of wherein the system comprises a plurality of end user apparatuses (page 7, "multicasting to demographic groups", which also meets the limitation of wherein the group is met by all, and/or at least one subgroup associated with all, met by demographic groups/groups) and further to multicast to a group or subgroup requires an address unique to the demographic and uni-casting or only by one, wherein uni-casting is targeting which requires a unique address associated with one end user, also page 7, as disclosed.

Claims 9-16 represent the corresponding method claims, associated with the apparatus claims above, are analyzed and discussed with respect to the claims 1-8 above.

3. Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motorola "Integrated Data-casting Solutions for Digital TV (6/1999).

Regarding claims 17-18, Motorola discloses and meets the limitations associated with a TV broadcasting system capable of transmitting data-cast streams to a plurality of storage

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apparatuses (page 5 and/or page 6 and/or page 7 and/or pages 8-9), the TV broadcasting system comprising:

a data retrieval and a memory (page 6, memory met by "cached", "content is cached on a server where it can be scheduled for broadcast"), controller capable of accessing a plurality of data sources (page 6, sources met by a source of NEWS, Finance, Sports and Technology into the "INTERNET CLOUD", and other sources, to HUB, "TV station to lunch a sustaining data-cast service ... the station can also seek out additional data through the Internet to augment its data-casts") and retrieving from each of the sources WEB page data (page 6, "Internet", "search the WEB").

Motorola discloses caching prior to broadcasting and meets all the limitations such as groups multicast and subgroups multicast using demographics and even uni-casting

but, fails to particularly disclose or specifically mention, wherein the memory for storing the retrieved WEB page data in

a plurality of transmission QUEUES,

first queues for all apparatuses (multi-casting);

second queues multicast only by selected subgroups of the plurality of storage apparatuses (demographic multi-casting).

The examiner takes official notice that providing queues or placeholders for data-casting, or an order of transmission, operating as such as a FIFO or other type ordering (additional priority considerations), is well known in the art, therefore, it would have been obvious to one skilled in the art at the time of the invention to utilize transmission queues or placeholders in memory, or queue locations or a sequence or an order, for transmitting the multicast data-cast, and a subgroup data-cast such as based on demographic data and a uni-cast queue, to one and to utilize a plurality transmission queues to order the transmission, as would have been obvious to and is well known to those skilled in the art.

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Regarding claim 19, the combination as applied with Motorola further meets the limitation of wherein the transmission controller based on the combination applied,

provides for a plurality of queues for the first, second and third transmissions, being multicasting, group or even sub-

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group multicasting and uni-cast transmission ordering and further Motorola,

NS  
further discloses wherein according to page 7, the data-casts can have transmitted at predetermined times of the day (page 7, met by assigning start times, also see "files in the user's PC can be updated at predetermined times to keep their contents accurate"), therefore, meeting the limitation at predetermined times of the day.

Regarding claim 20, the combination provides for unicasting, therefore, to uni-cast the unique ID is an inherent feature to send something specifically to one apparatus or user.

**Contact Fax Information**

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communication intended for entry)

or:

(703) 308-5359, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

**Contact Information**

1. Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Thursday, 8:00 AM to 5:00 PM Vincent F. Boccio (703) 306-3022.

If any attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Andy Christensen (703) 308-9644.

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Any inquiry of a general nature or relating to the status  
of this application should be directed to Customer Service  
(703) 306-0377.

Primary Examiner, Boccio, Vincent  
6/14/04

*Vincent Boccio*  
VINCENT BOCCIO  
PRIMARY EXAMINER